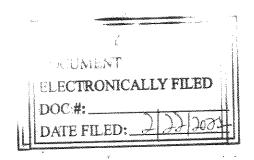
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February 15, 2022

Via ECF Hon. Colleen McMahon United States District Court Southern District of New York 500 Pearl Street New York, New York 10007

Re: DiNola v. Hartford Life Insurance Company

Civil Action No. 1:21-cv-04281-CM

JOVANA VUJOVIC

Chrysler East Building 666 Third Avenue, 20th floor New York, NY 10017 Main (212) 451-2900 Fax (212) 451-2999 jvujovic@rc.com Direct (212) 451-2916

Dear Judge McMahon:

This office represents defendant Hartford Life and Accident Insurance Company, sued herein as "The Hartford Life Insurance Company," in the above-referenced matter. Together with counsel for Plaintiff James DiNola, we submit this joint letter to respectfully request that the parties be permitted to engage in private mediation instead of a settlement conference with the Magistrate Judge and that the briefing schedule on the parties' cross-motions for summary judgment remain stayed while the parties engage in private mediation.

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On February 9, 2022, Plaintiff submitted an ex parte motion for assignment of this matter for a settlement conference with the Magistrate Judge and a stay of the summary judgment briefing schedule. (Doc. No. 24). On the same date, this Court granted Plaintiff's motion. (Doc. No. 25). Thereafter, the parties met and conferred and came to an agreement that engaging in private mediation would maximize the parties' chances of settling this matter. The parties have agreed on a mutually acceptable private mediator and are actively working to secure a mediation date with him.

For the foregoing reasons, and to avoid having to further burden the Court, the parties respectfully request that they be allowed to engage in private mediation instead of a settlement conference with the Magistrate Judge. The parties further respectfully request that the briefing schedule on the parties' cross-motions for summary judgment remain stayed while the parties engage in private mediation. Should mediation not result in a resolution, Plaintiff will submit its crossmotion for summary judgment within fourteen (14) days of mediation.

Thank you for your consideration of this matter.

Respectfully Submitted,

/s/ Jovana Vujovic Jovana Vujovic Counsel for Defendant

/s/Jason S. Newfield Jason S. Newfield Counsel for Plaintiff